

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PROPOSED JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(C)

The government, through counsel, and after conference with most counsel for the defendants in this case, and pursuant to Local Rule 116.5(C)(1) through (C)(9) files this Proposed Final Status Report:

1. Rule (C)(1). Outstanding Discovery Issues.

The parties do not have any outstanding discovery issues at this time. Counsel for the defendants have been given until March 3, 2014, to file substantive motions. It is unknown whether discovery motions will also be filed. The government believes it has responded to all discovery letters filed by defendants who seek a trial at this time.

2. Rule (C)(2). Additional Discovery.

The parties do not anticipate providing additional discovery as a result of future receipt of information, documents, or reports of examinations or tests.

**3. Rule (C)(3). Anticipated Defenses.**

None of the defendants intend to raise a defense of insanity or public authority.

**4. Rule (C)(4). Notice of Alibi.**

Jose Denis is the only defendant who the government anticipates offering an alibi.

**5. Rule (C)(5). Defense Motions.**

Defendants anticipate filing motions to suppress and possibly for additional discovery.

**6. Rule (C)(6). Additional Scheduling.**

Parties request a schedule be set concerning the government's response to anticipated motions filed by the defendants as well as a hearing on the anticipated motions.

**7. Rule (C)(7). Resolution Short of Trial.**

The parties have discussed the possibility of an early resolution of the case and anticipate that the case will be resolved short of trial with respect to all but five of the defendants.

**8. Rule (C)(8). Speedy Trial Act.**

The Court has entered orders of excludable delay under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1)(E) and (h)(1)(F), from the date of the Defendants initial appearances on January 17, 2013, through the date of the final status conference on February 11, 2014.

**9. Rule (C)(9). Length of Trial.**

The parties anticipate this case will take 10 trial days.

United States Attorney

By: /s/ Emily Cummings  
Emily Cummings  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Emily Cummings  
Emily Cummings  
Assistant United States Attorney

Date: February 6, 2014